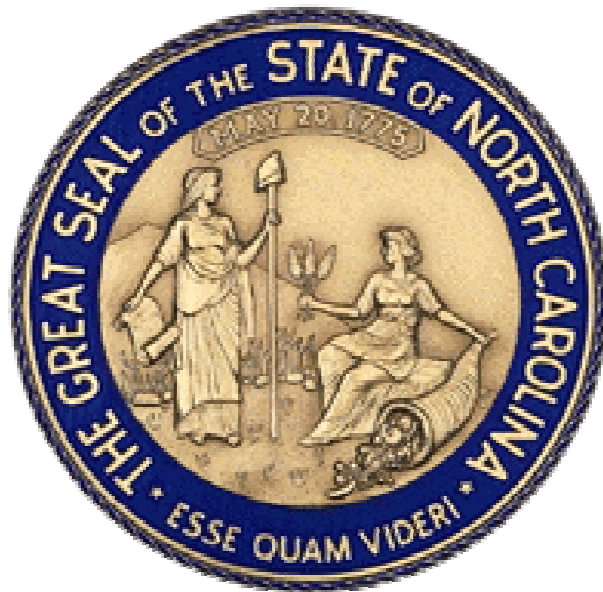


NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

REGISTRATION PROCEDURES



**Prepared by the
Private Protective Services Staff
Training & Standards Division
North Carolina Department of Public Safety**

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I. PRIVATE PROTECTIVE SERVICES

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A. General Description

Private Protective Services, a Section within the Training & Standards Division, of the North Carolina Department of Justice, consists of two licensing boards, the Private Protective Services Board (PPSB) and the Alarm Systems Licensing Board (ASLB), whose purposes are to administer the licensing, education and training requirements for fourteen licensed occupations. The Section operates under the statutory authority of North Carolina General Statutes 74C and 74D in order to safeguard the public welfare and safety.

B. Regulated Activities

North Carolina General Statute 74-C, the Private Protective Services Act, regulates the following professions:

Private Investigators - make inquiries or investigations on a contractual basis.

Security Guard and Patrol - provides security guards on a contractual basis.

Armored Car - transports money, currency, coins, etc. on a contractual basis.

Courier Service - transports documents, papers, maps, etc. on a contractual basis.

Polygraph Examiner - operates an instrument for the purpose of detection of deception.

Polygraph Trainee - trains under a Licensed polygraph examiner to obtain required experience.

Psychological Stress Evaluator - operates a device that measures and records voice reactions.

Firearms Trainer - teaches basic firearms course for armed security guards.

Electronic Countermeasures Profession - discovers, locates, or disengages by electronic, electrical or mechanical means any listening or monitoring equipment placed to gather information.

Guard Dog Service - contracts to place, lease, rent or sell a trained dog for the purpose of protecting lives and property.

Private Investigator Associate - trains under a Private Investigator to gather experience in order to qualify for a full license.

Electronic Countermeasures Trainee - trains under a counterintelligence licensee to gain experience in order to qualify for a full license.

Special Limited Guard & Patrol License - this license is issued to individuals currently licensed under 74-D that wish to have armed alarm responders.

Proprietary Security Organizations - employ security guards who are employed regularly and exclusively as an employee of that employer. While proprietary security organizations are not licensed by Private Protective Services they must register any armed security guards in the same manner as licensed contract security companies. For example, a department store may employ security guards on the department store's payroll; however, if any of the guards are armed, they must complete the same firearms training courses and submit the same registration documentation as licensed contract security companies.

The PPS staff also issues certifications for:

Unarmed Guard Trainers - provide required training to security guards.

North Carolina General Statute 74-D, the Alarm Systems Licensing Act, regulates:

Alarm Systems Businesses - sells, installs, services, monitors or responds to electrical, electronic, or mechanical alarm signal devices, burglar alarms, television cameras, or still cameras, used to

detect burglary, breaking and entering, intrusion, shoplifting, pilferage, or theft.

C. *Agency Structure*

This agency is divided into four Units:

Administration - The Administration Unit carries out directives of the Boards contained in North Carolina General Statutes 74C and 74D in order to safeguard the public and actively police both the Private Protective Service Industry and the Alarm Systems industries to insure compliance with the law in all aspects. This unit handles all personnel matters, budgetary matters, training matters and certification of trainers (instructors), and all administrative support activities necessary for the functioning of PPS.

Licensing - The Licensing Unit receives and processes each application received for thirteen licenses: Private Investigator, Private Investigator Associate, Security Guard & Patrol, Armored Car, Courier, Polygraph Examiner, Polygraph Trainee, Psychological Stress Evaluator, Counterintelligence Service, Counterintelligence Trainee, Guard Dog Service, Special Limited Guard & Patrol and Alarm Systems Business License.

Registration - The Registration Unit receives, processes and issues three types of registrations for individuals employed by licensed companies: Unarmed, Armed and Alarm.

Note: Certain licenses require that the employees be registered with the Private Protective Services Board or the Alarm Systems Licensing Board. Applicants must submit a registration application along with certain other required documentation and fees.

Field Services - Investigators conduct background investigations on each application for license to verify applicant's qualifications for licensure and inquire as to applicant's moral character. Investigations are conducted on complaints alleging violations of North Carolina General Statute 74C (The Private Protective Services Act) and North Carolina General Statute 74D (The Alarm Systems Licensing Act). Audits of records required to be maintained by licensees are also conducted.

Within the Field Services Unit, the Training Officer/Investigator processes applications for the Unarmed Guard Trainer and Firearms Trainer certifications. The Firearms Trainer and Unarmed Guard Trainer applications are completed once an applicant completes and passes the required trainer courses for the certification which they are interested in teaching.

Note: Both Boards and the Secretary of Public Safety have statutory authority to investigate and prosecute violations of General Statute 74C and 74D respectively. This prosecution may be through administrative hearings, criminal prosecution in District Court or other administrative action. The enforcement effort is supported by the Attorney for the Board.

D. *Purpose of Class/Instruction*

The purpose of this instruction is to provide an overview of the requirements, process and procedures for registration of employees of licensed companies regulated by PPS.

II. REGISTRATION DEFINITIONS

- A. **New** - Any applicant that has never been registered through PPS or has expired with your company or any other company.
- B. **Renewal** - Any applicant already registered with your company that expires a year from date of issuance.
- C. **Transfer** - Any unarmed applicant that goes (leaves) from one unarmed company to another during their active registration period. Or any unarmed applicant that stays (remains) with one company and wants to work for a second company during their active registration period. (It has to be between the same type of company; installer to installer, unarmed to unarmed).
- D. **(Duplicate)** - Any applicant that needs a card replaced for whatever reasons.
- E. **Licensee** - This is the License Holder
- F. **Designee** - This is the person(s) appointed by the Licensee to sign applications. The Licensee must notify the board in letter form and include the Designee's signature, for verification on applications. A designee must be actively registered, certified or licensed with the company.
- G. **Rehire** - Any unarmed applicant you have terminated and you want to rehire while still having an active registration.
- H. **Reissue** - Any armed applicant you have terminated and you want to have a card reissued while still having time on their previous armed registration with your company.
- I. **BPN#** - This is your Business Permit Number. This is found on your wall license
- J. **Monthly Report for Probationary Employee Provisions** - Any employee hired as an unarmed security guard and does not work more than (20) consecutive days in a calendar year, weekends included.
- K. **Termination** - Any employee no longer working with your company.
- L. **Denials - Correctable Denials** are those with discrepancies or omissions in paperwork submitted by the company. **For Cause Denials** are those issued as a result of criminal convictions on the applicant's criminal record check or any convictions that may have been obtained through a preliminary background investigation which was conducted by our office. Once either denial is issued an extension request cannot be issued.
- M. **Dual Registration**- Any armed applicant that is **actively** employed and seeks employment with an additional company.
- N. **Name Changes** - marriage certificate, divorce decree, or any official court document must accompany all name changes. Most companies submit at renewal time, or if someone applies new with another company and their name has changed since they last applied.
- O. **Register and Terminate** - Any applicant terminated before the submission of registration

application and/or leaves the company prior to registration. The Company must submit any paperwork, fee, and a termination notice. Probationary employees are exempt.

- O. **Extensions** - An additional amount of time given upon request to process or complete the necessary information required for registration. Extensions may be requested along with the submission of the application if you know you will have to obtain an out-of-state criminal record check. The first extension request will give you an extra 10 days in addition to the 20 days given to complete the process from the date of employment. A second extension request is permissible in order to give you another 10 days as long as the request is received in our office before the first extension expires.

ALWAYS OBTAIN REGISTRATION APPLICATIONS FROM THE PPS WEBSITE TO ENSURE YOU ARE USING THE MOST CURRENT APPLICATIONS.

A full legal name search is required when criminal record checks are ran that are to be submitted to the Administrative office.

Fees (company checks/money orders) returned for insufficient funds – The first offense the company will receive a warning letter, for a second offense the company will be required to submit money orders or certified checks for the next two years.

We no longer do reimbursements unless management approved. If there is an overage on the check/money order, it will be mailed back to the company and not processed.

III. REGISTRATION REQUIREMENTS [Unarmed]

A. *New Unarmed or New Unarmed Armored Car Service*

1. **PRINT** in blue or black ink or TYPE application. Submit ORIGINAL copy to PPS, the second copy is for your company file and the third copy is for the applicant. While working in the scope of his/her duties, the applicant **shall** carry a copy of the application until a registration card is in their possession.
2. Fingerprint Cards. **One** fingerprint card of classifiable fingerprints on an FBI applicant fingerprint card. The fingerprint cards can be requested through the PPS office. **For every new application a fingerprint card is required.**

Required Card Data: Name: Last, First, Middle. Signature of Person fingerprinted. Residence of person fingerprinted. Date and Signature of Official Taking fingerprints. Employer and address. Reason fingerprinted. Date of Birth, Sex, Race, Height, Weight, Eyes, Hair, Place of Birth, Social Security Number, and Prints. All data must be filled in and prints must be legible or the application will be sent back or denied. Fingerprints must be made by rolling the finger from side of nail to the other side of the nail in order to be accepted.

- 3 Photographs. Applicants are **required** to submit digital photos in JPG format by e-mail (PPSASL-Photos@ncdoj.gov) or by submitting them on a compact disc(CD). **E-mail is the preferred method**. If you are submitting photos on CD they should always be sent along

with the application(s) in which the photograph(s) will be used with. Please utilize the following format when naming the photo on e-mail, CD: *Doe.John.Joseph.2587.type.jpg.*, which is the last name, first name, middle name, last four digits of their social security number and the type should be either licensee or registrant. A photo identification sheet must also accompany an application or applications to show how a photo was submitted whether it was by e-mail or cd.

4. Criminal History Records Search. North Carolina Residents shall obtain a criminal record check from the Clerk of Court or from the current online vendors listed on the Administrative Office of the Courts website. Criminal records are required for each county of residence for the past forty-eight (48) months and must not be over sixty (60) days old when received in the Administrative office. Out-of-state applicants must submit an out-of-state criminal record check for each county of residence for the past forty-eight (48) months. The criminal record check must not be over sixty (60) days old when received in the Administrative office. All out-of-state criminal records must be obtained from PPSBCheck.com. You may order your criminal record check via the internet at www.PPSBcheck.com or call 1-877-272-0266, ext 1029.
5. Fees. \$30.00 application fee and \$38.00 fingerprint fee payable by company check, money order, or cashier's check. **NO** counter checks, petty cash account funds, personal checks or cash will be accepted. **Note:** All fees can be combined in one check unless it better serves your company to send individual checks. It is at the discretion of PPS to require a company to submit individual checks.
6. The first four hours of unarmed guard training for unarmed guards must be provided within the first twenty (20) days of probationary or regular employment. The remaining twelve (12) hours must be completed within the first thirty (30) days of regular employment.

The unarmed armored car service guards must complete the sixteen hour training course within thirty (30) days of permanent hire and the first four hours of unarmed armored car service training must be provided within the first twenty (20) days of probationary or regular employment.

7. Applicant information data must be completed correctly, as indicated:

Check One: New, Renewal, Transfer or Duplicate;

SS#: Social Security Number; **DOB:** Date of Birth; **POB:** Place of Birth;

Name: First, Middle and Last;

Hgt: Height; in foot and inches; **Wgt:** Weight; **Eyes:** (Color); **Hair:** (Color);

Race: (Ethnic Group); **Sex:** (Gender);

Check One: US Citizen or Resident Alien;

Operator's (Driver's) **License#:** Applicant's Driver's License Number; **State:** State issued.

Resident Address: 48 Month [past Four (4) years] address history required beginning with the Month and Year. Address information must be listed in chronological order with each month accounted for. For every address listed a Criminal Record Check from the proper Agency (Clerk of Court) must be submitted for that County with final dispositions. All out-of-state criminal records must be obtained from PPSBCheck.com. You may order your criminal record check via the internet at www.PPSBcheck.com or call 1-877-272-0266, ext 1029. A DD214 is acceptable for military if time was served overseas with an APO/FPO address listed. If the applicant is still on active duty in the U.S. but has served time overseas, a letter from his/her Commanding Officer will be necessary, stating that the applicant had no criminal record during the overseas tour of duty. All criminal record checks must have a search date of 48 months (4 years) and must be submitted within 60 days from date of search. A stamp, seal, or official letterhead must be on the records check.

Date Employed as an Unarmed Guard or Unarmed Armored Car Guard in NC With Current Company: This section *MUST* be filled out with applicant's date of employment in the capacity as an unarmed guard.

Company Information: Correct company name, address, and phone must be filled in for proper routing of registration cards. Cards will be mailed to the address in the system that reflects the legal mailing address of the company.

BPN#: Business Permit Number. This number is included on your wall license it will have 6 numbers then a P followed by 1 or 2 digits ie. (000000P0). It is imperative to the registration process that this number be included and correct on applications. If you do not know your BPN# please contact PPS.

Position: In what capacity the applicant will be working, ie. security officer, security guard, supervisor, etc.

Supervisor: Person supervising the applicant.

Previous Registration Question: This question will determine how to handle the application once it is received. For example, is there a previous file?

Criminal Information/Conviction Questions: Applicant must answer these questions honestly and accurately to avoid denial. If any questions are answered yes, a *detailed* explanation must be provided with the application as well as an acknowledgment letter from the licensee and desires for employment.

Signatures: Any application NOT signed will be sent back or denied. Stamp signatures are **NOT** acceptable. All signatures must be the originals and signed by the applicant and the licensee/designee.

B. *Renewal Unarmed or Unarmed Armored Car Service*

1. **PRINT** in blue or black ink or TYPE application (submit ORIGINAL copy, second copy for your company file, third copy to the applicant.)

2. Photographs. Applicants are **required** to submit digital photos in JPG format by e-mail (PPSASL-Photos@ncdoj.gov) or by submitting them on a compact disc(CD). **E-mail is the preferred method**. If you are submitting photos on CD they should always be sent along with the application(s) in which the photograph(s) will be used with. Please utilize the following format when naming the photo on e-mail, CD: *Doe.John.Joseph.2587.type.jpg.*, which is the last name, first name, middle name, last four digits of their social security number and the type should be either licensee or registrant. A photo identification sheet must also accompany an application or applications to show how a photo was submitted whether it was by e-mail or cd.

3. Criminal History Records Search. North Carolina Residents shall obtain a criminal record check from the Clerk of Court or from the current online vendors listed on the Administrative Office of the Courts website. Criminal records are required for each county of residence for the past twelve (12) months and must not be over sixty (60) days old when received in the Administrative office. Out-of-state applicants must submit an out-of-state criminal record check for each county of residence for the past twelve (12) months. The criminal record check must not be over sixty (60) days old when received in the Administrative office. All out-of-state criminal records must be obtained from PPSBCheck.com. You may order your criminal record check via the internet at www.PPSBcheck.com or call 1-877-272-0266, ext 1029.

4. Fees. \$30.00 application fee payable by company check, money order or cashier's check. **NO** counter checks, personal checks, petty cash funds or cash will be accepted. The application will be considered expired if it does not arrive in the PPS office for processing before 5 o'clock of the last day of the current registration. **Note:** All fees can be combined in one check unless it better serves your company to send individual checks. It is at the discretion of PPS to require a company to submit individual checks. **A \$25.00 late fee will be assessed for any renewal that is received after the expiration date, but that is within 90 days past the expiration. After 90 days the application will be required to be new.**

5. Unarmed Guard or Unarmed Armored Car Training Requirements must be completed based on renewal type.

6. Applicant information data must be completed correctly. Follow steps outlined for new applications in previous section.

C. Transfer Unarmed or Unarmed Armored Car Service

1. **PRINT** in blue or black ink or TYPE application (submit ORIGINAL copy, second copy for your company file, third copy to the applicant.)
2. Photographs. - If an application can be treated as a transfer, we would already have a photo on file for the applicant.
3. Fees.- \$15.00 transfer payable by company check, money order or cashier's check. **NO** counter checks, personal checks, petty cash funds or cash will be accepted.

4. Applicant information data must be completed correctly. Follow steps outlined for new and renewal applications in previous sections.

D. Rehires Unarmed/Unarmed Armored Car Service

A rehire form must be submitted within 10 days of rehire and include the following information: **BPN#:** Your Business Permit Number; **DATE:** Date Form Prepared; **NAME OF COMPANY;** **LICENSEE/DESIGNEE:** Signature of Licensee/Designee; **COMPANY ADDRESS:** Your Business Address; **UNARMED** (This employee has not had the unarmed security guard training) or **UNARMED CERTIFIED** (This employee has had the unarmed security guard training); **EMPLOYEE NAME:** Name of employee you are rehiring; **DATE OF BIRTH:** Employee's Date of Birth; **SOCIAL SECURITY NUMBER (last four digits);** **DATE OF REHIRE:** Date employee returns to work; **EXPIRATION DATE:** Date registration card expires(if card previously received).

No fees are necessary unless applicant needs a new card or if PPS didn't previously print card (if termination occurred prior to approving). Photographs and \$25.00 duplicate card fee must be submitted if a new card is requested along with a completed application.

ALL GUARDS MUST INFORM THE BOARD WITHIN 15 DAYS OF ANY CHANGES TO THE FOLLOWING: THEIR HOME ADDRESS, TELEPHONE NUMBER, BUSINESS STREET ADDRESS OR TELEPHONE NUMBER.

E. Probationary Employee Provisions

N.C.G.S. 74C-11(a) allow companies to hire unarmed security officers in a "probationary employee" status for up to 20 consecutive days in a calendar year, without having to register those employees. Upon completion of the probationary period and the desire of the licensee to hire the officer as a regular employee, the licensee shall register the employee within 30 days after the probationary employment period ends.

Specifically, this amendment does the following:

- Licensees may employ unarmed security guards/officers/unarmed armored car service guards as probationary employees for 20 consecutive days during a calendar year;
[**Note:** this provision may be utilized - licensees are not required to hire guards as probationary employees first]
- Probationary employees do not have to be registered, however, the licensee will be required to submit a list of probationary employees to PPS on a monthly basis;
- The probationary employee list must include the name, address, social security number and dates of employment of the employees;
[**Note:** a probationary employee roster has been developed - it is available on our website and we plan to have it available for submission in electronic format as well];
- The licensee must conduct a criminal records check on the individual prior to allowing them to engage in private protective services activities (i.e. to work a post or other assignment as a guard);
- The temporary employee must complete any training requirements the Board deems appropriate, prior to engaging in PPS activities (**presently the first four (4) hours of Unarmed Guard training must be completed within the first 20 days of employment or prior to being put on post**);

- Upon completion of the 20-day probationary period, the employee becomes a regular employee and must be registered within 30 days of the date regular employment begins; Employees who resign or are terminated prior to or upon completion of the 20-day probation period (unarmed only) do not have to be registered. However, they must appear on the probationary employee list submitted to PPS;
- This amendment replaces subsection (f) in G.S. 74C-11 and eliminates the provision in which a licensee was allowed to employ someone as a security guard for a period of 30 days in a calendar year and not have to register the employee as long as they were reported on a temporary employee roster. Typically, this section of the statute allowed for the use of “seasonal” employees or those hired only for “special events” throughout the year;
- Licensees may continue to utilize seasonal or special event employees as security officers, however, the new probationary employee provisions would apply. If they work beyond the 20 days, they become regular employees.

F. *Termination Notice*

A termination notice must be submitted to PPS **within 10 days** of employee’s termination date. The form must include the following information:

BPN#: Business Permit Number; **DATE:** Date form completed; **NAME OF COMPANY;** **LICENSEE/DESIGNEE:** Signature of Licensee or Designee; **COMPANY ADDRESS:** Your Business address; **ARMED, UNARMED** (Type of registration to be terminated); **CERTIFIED:** (This employee has had the unarmed security guard training); **EMPLOYEE:** Name of employee to be terminated; **DATE OF BIRTH:** The employee’s date of birth; **SOCIAL SECURITY NUMBER (last four digits):** Employee’s social security number; **DATE OF TERMINATION:** Date employee was terminated (cannot terminate in advance).

G. *Unarmed Security Guard Training Certification and Unarmed Armored Car Guard Service Training*

Once an employee is hired, in accordance with 12 NCAC 7D, Section .0707, each unarmed guard must receive a minimum of 16 hours of mandatory training within 30 days of **regular** employment.

Once an employee is hired, in accordance with 12 NCAC 7D, Section .1407, each unarmed armored car service guard must receive a minimum of 16 hours of mandatory training within 30 days of **permanent** employment.

H. Unarmed Training Requirements

Unarmed Guard

The PPSB decided that when processing applications, if a guard had previously gone through the old four hour unarmed guard training and their employment is **terminated** with a company; yet their registration card **has not expired**, then the guard **would not** be required to go through the current sixteen hour unarmed guard training program. However, if the guard's employment has been **terminated and the registration card has expired**, then the guard would be required to go through the sixteen hour training program. The key concept here is whether the guard has remained in the industry. If the guard has not left the industry and is only renewing late, no additional training is required.

The PPSB also recommended that if an unarmed guard, who has received the **16 hours** of unarmed training, leaves the security industry, the training will be valid for 1 year from the time their registration expires. Once the year has passed, the employee will have to take the first four hours of training to return as an unarmed guard. Should they re-apply within the first year of expiration, they will not have to take the training.

If an individual, who is not employed by a security company, completes the unarmed training course, they must become employed with a contract security company within one year of completing the training. If not, they will have to complete the entire sixteen (16) hour course.

Unarmed Armored Car Service Guard

The PPSB decided that when processing applications, if a armored car service guard had previously gone through the old four hour unarmed guard training or current 16 hours unarmed guard training and their employment is **terminated** with a company; yet their registration card **has not expired**, then the guard **would not** be required to go through the new sixteen hour armored car guard training program. However, if the guard's employment has been **terminated and the registration card has expired**, then the guard would be required to go through the sixteen hour armored car training program. The key concept here is whether the guard has remained in the industry. If the guard has not left the industry and is only renewing late, no additional training is required.

The PPSB also recommended that if an unarmed armored car service guard, who has received the **16 hours** of unarmed armored car service training, leaves the armored car security industry, the training will be valid for 1 year from the time their registration expires. Once the year has passed, the employee will have to take the first four hours of unarmed armored car training to return as an unarmed armored car guard. Should they re-apply within the first year of expiration, they will not have to take the training.

If an individual, who is not employed by a armored car company, completes the unarmed armored car training course, they must become employed with a armored car company within one year of completing the training. If not, they will have to complete the entire sixteen (16) hour armored car course.

Unarmed Trainer Certification (Certification to train - Unarmed Guard and Unarmed Armored Car Service Guards)

Unarmed training must be conducted by a PPS certified trainer. To become a certified unarmed guard trainer a person must complete and submit a Request for Training Services form and you must meet the below requirements:

1. Be at least 18 years of age or older, and a citizen of the U.S., or a resident alien.
2. Be of good moral character & temperate habits and not have been declared incompetent by the courts by reason of mental disease or defect.
3. Not had a revocation of registration.
4. One year experience in security, law enforcement, and/or military.
5. Favorable recommendation by the licensee.

If approved to attend an unarmed guard trainer course, prior to issuance of the certification the applicant must satisfy items listed in numbers 6 & 7:

6. Successfully complete the approved training course & workshop.
7. An application will be provided to submit to PPSB, fees and other documentation required at this stage will be stated on the application.

Unarmed Trainer Certification renewal

1. PPS certified trainers shall submit a board renewal form 30 days prior to expiration of unarmed trainer certification.
2. Will also submit required renewal fee, photo if update needed, and required CRC to PPSB.
3. Certification of a minimum of 16 hours of unarmed training (Rosters to be submitted twice prior to expiration.

IV. REGISTRATION REQUIREMENTS [Armed]

A. *New Armed/Armed Armored Car Service/Armed PI/PIA*

1. **PRINT** in blue or black ink or TYPE application. Submit ORIGINAL copy to PPS, the second copy is for your Company file and the third copy is for the applicant in the scope of his/her duties, the applicant **shall** carry a copy of the application and a copy of the firearms training completion certification form until a registration card is in their possession.
2. Fingerprint Cards. One fingerprint card of classifiable fingerprints on an FBI applicant fingerprint card. These can be requested through the PPS office.

Required Card Data: Name: Last, First, Middle. Signature of Person fingerprinted. Residence of person fingerprinted. Date and Signature of Official Taking fingerprints. Employer and address. Reason fingerprinted. Date of Birth, Sex, Race, Height, Weight, Eyes, Hair, Place of Birth, Social Security Number, and Prints. All data must be filled in and prints must be legible or the application will be sent back or denied. Fingerprints must be made by rolling the finger from side of nail to the other side of the nail in order to be accepted. A new fingerprint card is required for all new applications.

3. Photographs. Applicants are **required** to submit digital photos in JPG format by e-mail (PPSASL-Photos@ncdoj.gov) or by submitting them on a compact disc(CD). **E-mail is the preferred method.** If you are submitting photos on CD they should always be sent along with the application(s) in which the photograph(s) will be used with. Please utilize the following format when naming the photo on e-mail, CD: *Doe.John.Joseph.2587.type.jpg.*, which is the last name, first name, middle name, last four digits of their social security number and the type should be either licensee or registrant. A photo identification sheet must also accompany an application or applications to show how a photo was submitted whether it was by e-mail or cd.
4. Criminal History Records Search. North Carolina Residents shall obtain a criminal record check from the Clerk of Court or from the current online vendors listed on the Administrative Office of the Courts website. Criminal records are required for each county of residence for the past forty-eight (48) months and must not be over sixty (60) days old when received in the Administrative office. Out-of-state applicants must submit an out-of-state criminal record check for each county of residence for the past forty-eight (48) months. The criminal record check must not be over sixty (60) days old when received in the Administrative office. All out-of-state criminal records must be obtained from PPSBCheck.com. You may order your criminal record check via the internet at www.PPSBcheck.com or call 1-877-272-0266, ext 1029.
5. Fees. \$45.00 application fee and \$38.00 fingerprint fee payable by company check, money order or cashier's check. **NO** counter checks, petty cash funds, personal checks or cash will be accepted. **Note:** All fees can be combined in one check unless it better serves your company to send individual checks. It is at the discretion of PPS to require a company to submit individual checks.
6. Unarmed Training Certification. Armed guards must complete the 16-hour unarmed guard training class or unarmed armored car service guard training class (depending on type) prior to taking the firearms training. A training completion certificate, signed by a certified unarmed trainer, must be submitted verifying completion of the mandatory training. All private investigators and private investigator associates are only required to complete the first 4 hours in order to work armed as a PI/PIA. If they work armed in a guard capacity they will be required to complete the remaining 12 hours of the unarmed guard training program.

7. Firearms Training Certification. Applications must include a current certificate verifying completion of the mandatory armed security officer firearms training program. This certificate must be received within **90 days** from date of completion. Range scores must be 80% or higher. This form must be completed by a certified PPS Firearms Trainer. [See below section for specific firearms training course requirements].
8. Applicant information data must be completed correctly. Follow steps outlined for new and renewal unarmed applications in previous sections. **All armed applicants as of April 1, 2008 must be 21 years of age.**

FIREARMS TRAINING REQUIREMENTS:

All security companies have been provided the manual for the basic armed security officer firearms training program. The program requires the completion of **a minimum of 20 hours** of classroom instruction as specified on page 2 of the Introduction Section of the manual. The PPS Board has adopted the first five (5) modules of the program as required topic areas. They include Module I - Legal (4 hours); Module II - Safety (1 hour); Module III - Handgun Operation and Maintenance (3 hours); Module IV - Marksmanship Fundamentals (8 hours); and Module V - Night Firing (4 hours). In addition, officers must complete firing range qualification [80% accuracy] with duty handguns on both the day and night firing (reduced light) courses, utilizing the B-27 target. The required courses of fire appear in the last section of the manual. Trainers will determine actual range hours, which is contingent on the number of students in the class and their skill level, number of relays, number of weapons to be qualified with, etc. Training with the shotgun will require completion of Module VI, an additional 4 hours of classroom instruction, plus range qualification [also 80%] on the course of fire contained in the manual, and utilizing the B-27 target. Module VII (Encounter Techniques) is optional and may be used by Firearms Trainers to familiarize students with the aspects of "street" encounter shooting techniques.

ADDITIONAL FIREARMS INFORMATION:

An armed security officer must obtain their training using their duty weapon and duty ammunition using a standard .38 caliber, .32 caliber or .357 caliber revolver, or any standard semi-automatic pistol of .354 caliber and higher, or any standard 12 gauge shotgun. The officers are only authorized to carry the weapon in the performance of official duties or traveling directly to and from work.

The weapon carried by an armed security officer must be owned or leased by the company. Personally owned weapons are prohibited.

The PPS Director may summarily suspend an armed security guard's firearm registration permit pending the resolution of charges involving the illegal use, carrying, or possession of a firearm.

If a security officer or licensee discharges a firearm while engaged in a PPS regulated activity, the licensee shall notify the Board either in person or by telephone no later than

the first business day following the incident and file a written report within five working days of the incident.

LAW ENFORCEMENT OFFICERS REGISTERED AS ARMED GUARDS: In order for a law enforcement officer to be registered as an armed guard they must complete the same training as an armed guard.

ARMED GUARDS/ARMED ARMORED CAR SERVICE GUARDS WORKING IN UNARMED STATUS: An armed guard or armed armored car service guard may be allowed to work unarmed status if they have completed the mandatory unarmed guard certification training (pertaining to their type and the training certification form is completed and submitted to PPS).

B. Renewal Armed/Armed Armored Car Service Guard/Armed PI/PIA

1. **PRINT** in blue or black ink or TYPE application. Submit ORIGINAL copy to PPS, the second copy is for your company file and the third copy is for the applicant. While working in the scope of his/her duties, the applicant **shall** carry a copy of the application until a registration card is in their possession.
2. Photographs. Applicants are **required** to submit digital photos in JPG format by e-mail (PPSASL-Photos@ncdoj.gov) or by submitting them on a compact disc(CD). **E-mail is the preferred method.** If you are submitting photos on CD they should always be sent along with the application(s) in which the photograph(s) will be used with. Please utilize the following format when naming the photo on e-mail, CD: *Doe.John.Joseph.2587.type.jpg.*, which is the last name, first name, middle name, last four digits of their social security number and the type should be either licensee or registrant. A photo identification sheet must also accompany an application or applications to show how a photo was submitted whether it was by e-mail or cd.
3. Criminal History Records Search. North Carolina Residents shall obtain a criminal record check from the Clerk of Court or from the current online vendors listed on the Administrative Office of the Courts website. Criminal records are required for each county of residence for the past twelve (12) months and must not be over sixty (60) days old when received in the Administrative office. Out-of-state applicants must submit an out-of-state criminal record check for each county of residence for the past twelve (12) months. The criminal record check must not be over sixty (60) days old when received in the Administrative office. All out-of-state criminal records must be obtained from PPSBCheck.com. You may order your criminal record check via the internet at www.PPSBcheck.com or call 1-877-272-0266, ext 1029.
4. Fees. \$45.00 application fee payable by company check, money order or cashier's check. **NO** counter checks, personal checks, petty cash funds or cash will be accepted. Expired registrations must be submitted as new. **Note:** All fees can be combined in one check unless it better serves your company to send individual checks. It is at the discretion of PPS to require a company to submit individual checks.

5. Firearms Training Certification. Applications must include a current certificate verifying completion of the mandatory armed security officer firearms recertification training. This certificate must be received within **180 days** from date of completion. Range scores must be 80% or higher. This form must be completed by a certified PPS Firearms Trainer. [See below section for specific firearms training course requirements].

The armed registrant is required to qualify annually both day and night. If the security officer fails to qualify on either course of fire, the security officer cannot carry a firearm until such time as they meet the qualification requirements. Upon failure to qualify the firearm instructor must notify the security officer that they are no longer authorized to carry a firearm and the Firearm Instructor must notify the employer and the Private Protective Services staff on the next business day.

6. Applicant information data must be completed correctly. Follow steps outlined for new and renewal unarmed applications in previous sections. **All armed applicants as of April 1, 2008 must be 21 years of age.**
7. At the **June 2007** Board meeting, the Private Protective Services Board ruled that if an applicant is renewing his/her **armed registration** and PPS does not receive the armed registration prior to the expiration of the current registration, the applicant would be required to complete the 20 hour armed registration course.

FIREARMS RECERTIFICATION TRAINING REQUIREMENTS:

Applicants for recertification of an armed security officer registration permit must complete the mandatory training course consisting of 4-hours of classroom training annually, plus range qualification on day and night handgun courses of fire. An additional 1 hour of classroom training, plus qualification, will be required for recertification with the shotgun. **The armed registration application (armed guard or armed armored car service guard) must be received by PPS prior to the armed registrant's current registration card expiring. If not per the administrative rule, the applicant will be considered a new applicant and will be required to complete the 20 hour armed guard course.**

ALL ARMED REGISTRANTS MUST INFORM THE BOARD WITHIN 15 DAYS OF ANY CHANGES TO THE FOLLOWING, THEIR HOME ADDRESS, BUSINESS STREET ADDRESS OR BUSINESS TELEPHONE NUMBER.

C. *Transfer/Rehire Armed Guards or Armored Car Service Guards/Armed PI/PIA*

Armed registrants cannot be transferred or rehired.

If a card is lost or destroyed while an armed registrant is active, a *duplicate* card can be requested. A \$40.00 fee is required, along with a digital photograph and an updated application based on type.

You may request a *reissued* card for an armed registrant that has left your company but has returned during the time frame that the armed registration permit has not expired. The company will be required to submit an updated application, photograph, updated criminal record checks, and a \$40.00 fee. The reissued card will receive the same expiration date as the previous card.

If an armed registrant is currently registered with another company they may be registered as **Dual**. The registration with the second company will expire at the same time that the registration expires with the first company. An updated application will be required, along with a digital photograph, updated criminal records checks and a \$40.00 registration fee. If the guard will be carrying a weapon of the same make and model, then no additional firearms training will be required. The licensee has to submit a letter stating the guard will be carrying the same make a model weapon. If the guard will be carrying a weapon of a different make and model, the licensee is required to submit a letter advising of the make and model of the weapon the guard will be carrying and the guard would be required to qualify at the firing range on both the day and night qualification course.

If the second company is requesting that the guard be issued a permit that will expire a year from the date they were hired by the second company, then the company will need to provide the guard with four hours of class room training and the guard will be required to qualify at the firing range on the day and night qualification course. An updated application will be required, along with photograph, updated criminal records checks and a \$45.00 registration fee. **All armed applicants must be 21 years of age as of April 1, 2008. Applicant's can't dual to a company in which they were just employed because they forgot to renew their registration and have active time with another company.**

D. *Termination Notice*

When an employee leaves your company, for whatever reason, the company is required to submit a termination notice to PPS within 10 days of the employee's termination date.

When the holder of an armed security guard firearms registration permit terminates his employment the firearms registration permit expires. The card must be returned to PPS within 15 working days of the termination.

The termination notice must include the following information:

BPN#: Business Permit Number; **DATE:** The date termination notice is completed; **NAME OF COMPANY;** **LICENSEE/DESIGNEE:** Signature of Licensee or Designee; **COMPANY ADDRESS:** Your business address; **ARMED, UNARMED:** Type of registration to be terminated; **EMPLOYEE NAME:** Name of employee to be terminated; **DATE OF BIRTH:** The employee's date of birth; **SOCIAL SECURITY NUMBER (last four digits):** Employee's social security number; **DATE OF TERMINATION:** Date applicant is to be terminated (cannot terminate in advance).

E. *Firearms Trainer Certification*

All firearms training must be conducted by a PPS certified Firearms Trainer. All

Applicants must meet the minimum standards of other licensees; i.e. good moral character and temperate habits, be at least 21 years of age and have the necessary training, qualifications, and experience (minimum of one year supervisory experience in security with a contract security company or proprietary security organization, or one year experience with any federal, U. S. Military, state, county or municipal law enforcement agency).

Applications for Firearms Trainer are not accepted until the applicant has completed the Trainer Certification course. Persons interested in attending the Firearms Instructor Trainer Course should complete and submit a Request for Training Services form to the PPS Training Officer. If they meet the minimum qualifications, written notification will be provided once the applicant is scheduled to attend the class. The North Carolina Justice Academy is currently the only agency approved to conduct this course, which consists of 40 hours of classroom and practical range training in handgun and shotgun safety and maintenance, range operation, night firearm training, control and safety procedures, and methods of handgun and shotgun firing. In addition, trainer applicants must attain a score of at least 90% accuracy on the firearms range qualification courses for day and night handgun. Qualification with the shotgun (90%) is also required if the trainer will instruct on that weapon.

After successfully completing the training class and within sixty (60) days, the applicant **MUST** apply for certification by submitting the required application materials and certification and fees. All applicants are assessed the cost of the training course, which is paid at the time of application.

In addition to completion of the Firearms Trainer Course, all applicants must complete a 24 hour basic instructional skills course. However, any applicant who possesses an equivalent instructor training certification approved by the Director of PPS, would not be required to take the additional 24 hour course.

The Firearms Trainer certification expires two (2) years from the date of issuance. Each trainer must complete a one day recertification class every 24 months and attain a score of at least 90% accuracy on the required range qualification courses of fire.

V. REGISTRATION ENDORSEMENT

A. *Concealed Carry Endorsement*

The holder of an armed security guard firearms registration permit may request a Concealed Carry Endorsement on their registration permit card. After completing the required training and receiving a NC Concealed Carry Permit from the Sheriff's Office in their home county, you must submit a request in writing for the endorsement, a photocopy of the Concealed Carry Permit, and a digital photograph. We will show the Concealed Carry Endorsement on the card. When you receive the new card with the endorsement, you must return the old card to PPS.

VI. PROCESSING APPLICATIONS

Once received in the PPS office, each application, along with all required documentation

is opened and stamped.

Applicant information is entered into the computerized licensing/registration system and the money is posted. If the money is correct the applications are processed.

If the application is correct and approved, the card is printed and mailed to the company at the address listed on the application.

A. ***Deferrals***

If a criminal record check is submitted for an applicant that has pending charges and the court date has passed, we will request information regarding the pending charge. If the final disposition is not received, the applicant will be denied for incompleteness. You must make sure all pending charges have a disposition, and are submitted to PPS.

B. ***Preliminary Investigation of Registration Applications***

While processing registration applications, a preliminary investigation is conducted on each new applicant and a random sampling of renewal applications. Information may be obtained indicating the applicant may have a criminal record that was not submitted with the application.

Our office will generate a letter requesting that the company submit a certified criminal record check from the jurisdiction where the possible record was located. Included in the letter will be the charges, dates and location of the record.

C. ***Denials***

There are two types of denials; Correctable Denials and Cause Denials.

Correctable

Examples of correctable denials are denials in which there are discrepancies in the application package.

A correctable denial may not be appealed. Once an applicant has been denied correctable, the licensee will have thirty days to provide staff with the information that was omitted from the application. Once the thirty days have passed and if **all** the information has not been submitted, the licensee **shall** remove the guard from security guard and patrol assignments. The applicant will not be allowed to work until the information is provided and they receive the registration card. This process is effective for those applications that are denied for **correctable reasons only**. If the applicant is denied for **cause reasons**, the applicant will still be required to be immediately pulled from post if they are registering as a **new** applicant. If the applicant is being denied for a combination of **correctable** and **cause** reasons, they will still be required to be pulled from post immediately upon receiving the denial letter if they are registering as a **new** applicant.

Applications submitted without the required criminal records checks or if the applicant has criminal convictions will be considered a **for cause** denial and applicant's registering

as **new** would not be allowed to work until they submit the required information and receive the registration card.

Cause

Cause denials are a result of criminal convictions on the applicant's criminal record check or any convictions that may have been obtained through a preliminary background investigation which was conducted by our office. If this is a new applicant and you receive a letter indicating the denial is for CAUSE, the applicant must immediately cease performing any PPS regulated activity. The applicant may follow the steps for appealing the denial. **Anyone convicted on any felony is prohibited from carrying a weapon.** Therefore, convicted felons will be denied an armed registration by PPS.

If this denial is on a renewal application the applicant must cease working until an appeal is filed with our office. Once the appeal is filed the applicant **MAY** continue to work until a Final Agency Decision has been issued.

ALL APPEALS MUST BE IN WRITING, FROM THE APPLICANT

Applicant should provide a telephone number where they can be reached on the appeal request.

Reconsideration for Cause

READ DENIAL LETTER THOROUGHLY. There may be an indication that the application can be reconsidered for approval by submitting a letter of explanation from the applicant and/or documentation from the courts, and a letter from the licensee indicating their desire for employment.

D. *Returns*

Often, the PPS Office receives applications that are so incomplete they can not be processed. The staff is currently working on a procedure whereby such applications would be returned to the company in their entirety for corrections, prior to any processing by the PPS staff.

E. *Registration Dissemination*

Registration cards are prepared daily and mailed throughout the week. Cards may NOT be picked up.

F. *Record Retention*

All records required to be kept shall be retained for at least three (3) years. This includes a copy of the employees registration application and, when applicable, the firearms certificate. In maintaining these files it is recommended that you copy the registration card and place a copy along with the application.

All records pertinent to an audit or an investigation shall be subject to inspection by the PPS staff upon demand between 8:00 a.m. and 5:00 p.m., Monday through Friday.

All licensees having registered employees are required by rule to submit a copy of their quarterly tax and wage report in the same form as submitted to the Employment Security Commission. This is due at the same time it is submitted to Employment Security Commission.

Note: It is the policy of the PPS Board to allow licensees to maintain ESC reports at their place of business rather than send them to the Board's office. However, the reports must be submitted upon request of the PPS staff and must be available for inspection by staff at the licensee's place of business.

VII. DENIALS AND THE APPEAL PROCESS

Usually, a denial for an armed or unarmed security guard registration permit is for lack of good moral character. North Carolina General Statute 74C-12(a)(25) grants the Board the authority to deny an application for lack of good moral character. Further, it grants the Board the authority to suspend or revoke a license or registration that has already been granted to an individual.

Evidence of lack of good moral character may be demonstrated by conviction of a crime for the following:

1. Illegal use, carrying, or possession of a firearm;
2. Illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage;
3. Felonious assault or act of violence;
4. Unlawful breaking or entering, burglary, larceny;
5. Any other offense involving moral turpitude. [**Note:** this may include worthless check convictions, trespassing offenses, etc.]

For purposes of this section, the term "conviction" includes the entry of a plea of guilty, a plea of nolo contendere, prayer for judgement continued, or a finding of guilty by a court of competent jurisdiction. The licensee's failure to report a charge, arrest for, or conviction of a misdemeanor or felony is grounds for revocation of the license.

If an applicant is denied, the applicant can appeal the denial by sending a letter of appeal to the Board. Once we receive the notice of appeal, the Deputy Director will conduct an internal review of the application and convictions. The Deputy Director will schedule an interview with the applicant to discuss the convictions. Therefore, it is extremely important that the applicant include in the notice of appeal a telephone number where they can be reached. After the Deputy Director has discussed the reason(s) for denial with the applicant a decision is made by the Deputy Director whether to administratively approve the application or forward the matter to the PPSB Attorney who will schedule the matter to be heard by an Administrative Law Judge at the Office of Administrative Hearings. If the application is approved by PPS staff, the application will be forward to the Registration Unit for processing. If the denial is upheld by the Deputy Director, the

file will be forwarded to the Registration Lead Worker who will then send a copy of the application to the Board Attorney so he can schedule a hearing date with NC OAH. Once a date has been scheduled, the Board's Attorney will notify the applicant of the hearing date. This is a formal proceeding where sworn testimony is taken, cross-examination of witnesses are allowed, and documentary evidence is admitted into an "Official Record." The judge sits in place of the Board and collects facts and composes a recommendation to the Board.

After the Official Record is published by the Office of Administrative Hearings, the full Board reviews the record and votes on a Final Agency Decision. The Board may adopt, modify, or reverse the judge's decision.

If a Final Agency Decision is issued and the ruling is to uphold the denial of the license/registration, the applicant is prohibited from performing security guard and patrol related services. The applicant may appeal this decision to the Superior Court.

VIII. UNIFORMS AND EQUIPMENT

The Board's administrative rules, and certain other statutes regulate and/or restrict the use of uniforms and certain equipment items.

A. *Uniforms*

12 NCAC 7D .0105 - A holder who is required to wear a military style uniform while in the performance of private security services shall have:

- (1) affixed over the left breast pocket of the uniform and on all caps or hats worn by such individual, badges or patches, distinct in design from those used by law enforcement agencies within the local area of the licensee's operations;
- (2) affixed over the right breast pocket of the uniform a metal, plastic, or cloth tag not less than three inches nor more than five inches in length and not less than three-fourths inch nor more than one inch in height containing the words "Security Guard" or "Security Officer" in capital letters approximately one-half inch in height; and
- (3) affixed over the "Security Guard" or "Security Officer" tag, a metal, plastic, or cloth tag bearing the name of the wearer. The name tag may be smaller than the "Security Guard" or "Security Officer" tag if the same is displayed in capital letters five-sixteenth inch to one-half inch in height.
- (4) The wearing of the armed or unarmed private protective services card clearly visible on the outermost garment (except foul weather clothing) shall satisfy the requirements of Subparagraphs (c)(1), (2) and (3) of this Rule. (d) All other holders who perform the duties of a security guard or security officer and who are not required to wear a military style uniform shall have affixed over the right or left breast pocket of the outermost garment (except for rainwear or other foul weather clothing) a tag as described in (c)(2) of this Rule, unless exempted by the

Administrator

B. ***Badges***

12 NCAC 7D .0105(a) - No holder of a license, trainee permit, unarmed security guard registration, armed security guard registration, or firearms trainer certificate while engaged in private protective services, shall wear or display any badge, insignia, device, shield, patch or pattern which shall indicate or tend to indicate that the individual is a sworn law enforcement officer or which contains or includes the word "police" or the equivalent thereof, or is similar in wording to any law enforcement agency in the local area of the licensee's operations.

C. ***Vehicles***

12 NCAC 7D .0105(b) - No holder, while performing any private security service, shall have or utilize any vehicle or equipment displaying the words "law enforcement officer," "police," or the equivalent thereof, or have any sign, shield, marking, accessory or insignia that may indicate that such vehicle is a vehicle of a law enforcement agency.

D. ***Handcuffs & OC Spray***

The Private Protective Services Board does not regulate the use of handcuffs or OC spray. The company takes full liability for the use of handcuffs and OC spray. If a company uses these types of equipment, the Board would recommend those that carry the equipment be trained by an authorized trainer.

E. ***Billy Sticks (PR-24 Black Jack and ASP)***

The Private Protective Services Board does not regulate the use of billy sticks or batons. The company takes full liability for their use. If a company uses this type of equipment, the Board would recommend those that carry the equipment be trained by an authorized trainer.

F. ***Other Relevant Statutes***

Horns and warning devices - pursuant to N.C.G.S. 20-125(a), it is unlawful for any vehicle to be equipped with or for any reason to use upon a vehicle any siren, compression or spark plug whistle.

Use of red or blue lights on vehicles prohibited - pursuant to N.C.G.S. 20-130.1, it is unlawful to install or activate a red or blue light in or on any vehicle.

Use of amber lights on certain vehicles - pursuant to N.C.G.S. 20-130.2, these lights are restricted to wreckers, construction vehicles and Radio Emergency Associated Citizens Team (REACT).

Operation of vehicles resembling law enforcement vehicles unlawful - pursuant to N.C.G.S. 20-137.2, it is unlawful for a non-law enforcement officer to operate any vehicle which by its coloration, insignia, lettering, and blue or red light resembles a vehicle

owned, possessed or operated by any law enforcement agency.

IX. LEGAL ISSUES FOR SECURITY GUARDS

A. *Detention of Offenders by Private Persons*

Pursuant to N.C.G.S. 15A-404, arrest by a private person is not authorized except as authorized by N.C.G.S. 15A-405, however, detention is permitted when a person has probable cause to believe that the person being detained has committed in his presence a felony, breach of peace, crime involving physical injury to another person, or a crime involving theft or destruction of property. Detention must be in a reasonable manner considering the offense involved and the circumstances of the detention. An individual may not be detained longer than the time required to determine that no offense has been committed or surrender of the person to a law enforcement officer, whichever is first to occur. A private person must immediately notify a law enforcement officer of the detention.

B. *Assistance to Law Enforcement Officers by Private Persons to Effect Arrest or Prevent Escape; Benefits for Private Persons.*

Pursuant to N.C.G.S. 15A-405, a law enforcement officer may request a private person to assist him in effecting an arrest or preventing escapes from custody. When requested, a private person has the same authority to effect an arrest or prevent escape from custody as the officer making the request. This individual does not incur civil or criminal liability for an invalid arrest unless the person knows the arrest to be invalid. N.C.G.S. 15A-405 does not justify the willful, malicious or criminally negligent conduct by such person which injures or endangers any person or property, nor shall it be construed to excuse or justify the use of unreasonable or excessive force.

C. *Impersonating a Police Officer*

Pursuant to N.C.G.S. 14.277, no person can impersonate a law enforcement officer by verbally informing another individual, whether or not a specific agency is referred to, displaying any badge or identification signifying to a reasonable individual that the person is a law enforcement officer, or unlawfully operating a vehicle on a public street, highway, or public vehicular area while operating a red or blue light.

X. CLOSING

A. *Summary*

Compliance with the Registration requirements of the PPS Board is important. While the staff is always willing to assist with any registration issue that may arise, the responsibility for compliance is with the company. The individual license holder and the company may be subject to disciplinary action by the Board if the registration requirements are not met.

B. *Questions*

